

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANTHONY GANTT,

Plaintiff,

vs.

KRISTINA WILDEVELD, *et al.*,

Defendants.

3:11-cv-00571-LRH-RAM

ORDER

This action is a *pro se* civil rights complaint filed pursuant to 42 U.S.C. § 1983 by a state prisoner. Neither a filing fee nor an application to proceed *in forma pauperis* was submitted with the complaint. Plaintiff must either submit the filing fee or submit an application to proceed *in forma pauperis* when initiating an action in this Court. The Court notes that, on August 17, 2011, plaintiff submitted a letter explaining that he does not wish to proceed *in forma pauperis* in this action. (ECF No. 3). As no filing fee has been paid, this action must be dismissed. Petitioner may initiate a new action when he obtains the funds to pay the filing fee.

IT IS THEREFORE ORDERED that this action is **DISMISSED** without prejudice to the filing of a new complaint in a new action.

IT FURTHER IS ORDERED that the Clerk of the Court shall send plaintiff a blank 42 U.S.C. § 1983 prisoner civil rights form and one copy of instructions for the same.

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1 **IT IS FURTHER ORDERED** that plaintiff may file a new complaint with the full filing fee
2 (or an application to proceed *in forma pauperis*) in a new action, but he may not file further
3 documents in this action.

4 **IT IS FURTHER ORDERED** that the Clerk of the Court shall enter judgment accordingly.

5 Dated this 25th day of August, 2011.



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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE